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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA-WESTERN DIVISION

VERNON C. BROWN, JR., ) Case No. CV 23-03361-CAS (AS)  
III, )  
Petitioner, ) **ORDER OF DISMISSAL**  
 )  
 )  
 )  
v. )  
 )  
 )  
JEFF LYNCH, Warden, )  
 )  
Respondent. )  
 )

## I. BACKGROUND

On April 24, 2023, Vernon C. Brown, Jr. ("Petitioner"), a California state prisoner proceeding pro se, filed a Petition for Writ of Habeas Corpus by a Person in State Custody pursuant to 28 U.S.C. § 2254 ("Petition").<sup>1</sup> (Dkt. No. 1). The Petition does not state what conviction and/or sentence Petitioner is challenging.

<sup>1</sup> Petitioner has filed numerous habeas petitions in this Court which have been dismissed.

1 Indeed, the Petition does not contain any information or assert  
2 any claims.

3

4 A Petition for Writ of Habeas Corpus can be filed only by a  
5 petitioner who is in state custody and contends that such custody  
6 is in violation of the Constitution, laws or treaties of the  
7 United States. 28 U.S.C. § 2254(c). Here, Petitioner has failed  
8 to allege any claim(s), much less any claims which go to the fact  
9 or duration of his confinement. See Preiser v. Rodriguez, 411  
10 U.S. 475, 489 (1973).

11

12 Because Petitioner does not state a claim for relief under  
13 28 U.S.C. § 2254, dismissal of the Petition is warranted.

14

15 **II. ORDER**

16

17 ACCORDINGLY, IT IS ORDERED that the Petition be dismissed  
18 without prejudice.

19

20 LET JUDGMENT BE ENTERED ACCORDINGLY.

21

22 DATED: August 18, 2023

23

*Christina A. Snyder*

CHRISTINA A. SNYDER  
UNITED STATES DISTRICT JUDGE

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Presented by:

26

27 \_\_\_\_\_ /s/  
28 ALKA SAGAR  
UNITED STATES MAGISTRATE JUDGE